

Senate Bill No. 632

Passed the Senate June 18, 2012

Secretary of the Senate

Passed the Assembly June 14, 2012

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2012, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 4980.42 of the Business and Professions Code, relating to marriage and family therapists, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 632, Emmerson. Marriage and family therapists.

Existing law provides for the licensure and regulation of marriage and family therapists by the Board of Behavioral Sciences. Existing law specifies the education required for licensure, which includes, for specified applicants, a requirement for a practicum that involves direct client contact and hours of experience relating to client-centered advocacy, as defined. Existing law authorizes trainees to perform activities and services in certain work settings provided that these constitute part of the trainee's supervised course of study and the person is designated as a trainee. Existing law also authorizes trainees to gain hours of experience outside the required practicum under certain conditions, but requires trainees who gain experience outside the required practicum to be enrolled in a practicum in order to counsel clients, except that trainees may counsel clients while not enrolled in a practicum if the period of lapsed enrollment is less than 90 calendar days, and if that period is immediately preceded and immediately followed by enrollment in a practicum course. Existing law specifies requirements of the degree program that an applicant must complete to be eligible for licensure.

This bill would revise these provisions to allow trainees who begin graduate study before August 1, 2012, and complete that study on or before December 31, 2018, to gain experience and counsel clients outside of a practicum. The bill, with respect to certain trainees, including trainees who begin graduate study before August 1, 2012, and do not complete that study on or before December 31, 2018, would allow those trainees to gain experience and counsel clients outside of a practicum provided that the period of lapse is immediately preceded by enrollment in a practicum course and immediately followed by enrollment in a practicum course or completion of the degree program. Some of these

provisions would operate retroactively from January 1, 2012, and the bill would state the intent of the Legislature in that regard.

This bill would declare that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. Section 4980.42 of the Business and Professions Code is amended to read:

4980.42. (a) Trainees performing services in any work setting specified in subdivision (d) of Section 4980.43 may perform those activities and services as a trainee, provided that the activities and services constitute part of the trainee's supervised course of study and that the person is designated by the title "trainee."

(b) Trainees subject to Section 4980.37 may gain hours of experience and counsel clients outside of the required practicum. This subdivision shall apply to hours of experience gained and client counseling provided on and after January 1, 2012.

(c) Trainees subject to Section 4980.36 may gain hours of experience outside of the required practicum but must be enrolled in a practicum course to counsel clients. Trainees subject to Section 4980.36 may counsel clients while not enrolled in a practicum course if the period of lapsed enrollment is less than 90 calendar days, and if that period is immediately preceded by enrollment in a practicum course and immediately followed by enrollment in a practicum course or completion of the degree program.

(d) All hours of experience gained pursuant to subdivisions (b) and (c) shall be subject to the other requirements of this chapter.

(e) All hours of experience gained as a trainee shall be coordinated between the school and the site where the hours are being accrued. The school shall approve each site and shall have a written agreement with each site that details each party's responsibilities, including the methods by which supervision shall be provided. The agreement shall provide for regular progress reports and evaluations of the student's performance at the site. If an applicant has gained hours of experience while enrolled in an institution other than the one that confers the qualifying degree, it shall be the applicant's responsibility to provide to the board satisfactory evidence that those hours of trainee experience were gained in compliance with this section.

SEC. 2. It is the intent of the Legislature, with respect to the amendments to subdivision (b) of Section 4980.42 of the Business and Professions Code in Section 1 of this act, that trainees subject to Section 4980.37 of the Business and Professions Code shall be allowed to gain hours of experience and counsel clients as of January 1, 2012, and that this act, in that respect, is to operate retroactively.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to clarify provisions governing the required practicum for marriage and family therapist trainees as quickly as possible, it is necessary that this act take effect immediately.

Approved _____, 2012

Governor